

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-124(7) (NEB/DTS)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	MOTION FOR LEAVE TO
v.)	SUPPLEMENT THE PSR
)	
MUKHTAR SHARIFF,)	
)	
Defendant.)	

The United States of America, by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Joseph H. Thompson, Harry M. Jacobs, Matthew S. Ebert, and Daniel W. Bobier, Assistant United States Attorneys, submits the following motion to supplement the presentence investigation report.

Mukhtar Shariff was convicted after a seven-week trial earlier this year. The trial was marred by an attempt to bribe and pay a juror in exchange for returning a not guilty verdict.

Since the issuance of the final presentence investigation, the government has learned that defendant Shariff knew about the bribery attempt and destroyed communications he had with his co-defendant Abdiaziz Farah about the bribe. As explained below, Abdiaziz Farah sent Shariff a video of the bribe attempt shortly after it occurred on Sunday, June 2. Abdiaziz and Shariff used an encrypted messaging app called Signal to communicate about the bribe.

Like others who had knowledge of or were involved in the bribe attempt, Shariff deleted the Signal messaging app from his phone on Monday, June 3—shortly after being directed by the Court to surrender his phone to the FBI. This resulted in the deletion of the messages Shariff and others exchanged about the bribe attempt. But despite Shariff's attempt to destroy these communications, FBI Computer Analysis and Response Team members were able to recover the notifications of *incoming* messages on Shariff's phone as well as Abdimajid Nur and Said Farah's phones. So while the government does not have the complete text threads, these device notifications allowed the government to piece together their efforts to bribe a juror and corrupt our criminal justice system.

Here's what happened.

Shariff's trial began on April 22, 2024. During the trial, Shariff's co-defendants Abdiaziz Farah and Abdimajid Nur hatched a plot to bribe one of the jurors. They decided to bribe Juror 52 because they believed she was the youngest juror and the only juror of color. Nur researched Juror 52's address and family online. Farah and Nur recruited others to conduct surveillance on Juror 52 and follow her home as she left court for the day. As part of their surveillance, they took photographs of Juror 52's car and home and purchased a hidden tracking device to install on Juror 52's car.

Nur recruited Ladan Ali to deliver the bribe to Juror 52. On May 17, Ali flew from Seattle to Minneapolis to discuss the bribe idea with Nur. Ali agreed to deliver the bribe to Juror 52 in exchange for a \$150,000 cash payment. Several days later, Ali returned to Seattle.

On May 30, as their trial was coming to an end, Ali flew from Seattle to Minneapolis to deliver the bribe. Closing arguments began on Friday, May 31. When court ended for the day, Ali followed Juror 52 as she left the Haaf parking ramp where the jurors parked.

At 10:36 p.m. on Saturday June 1, Ali told Nur that Juror 52 had agreed to return a not guilty verdict in exchange for a \$500,000 cash bribe.¹ Ali said, “she [Juror 52] literally wants it dropped off at her house. 500K.” Nur passed the message on to Abdiaziz Farah. Abdiaziz, in turn, called his brother and co-defendant Said Farah a few minutes later to talk about raising the bribe money.

At approximately 10:50 p.m., Abdiaziz sent Nur a series of messages about the bribe payments, saying that he could have some of the money ready by the following day and proposing that they offer to pay the rest of the bribe at a later date.

10:49 p.m. Please [have] \$100 ready tomorrow by 5pm at her house

10:50 p.m. So that’s her 500K. We can do 100k tomorrow and 25k Monday at her house

10:53 p.m. Tell her the money is coming from overseas. And it needs time or something like that bro

¹ Sometimes truth is stranger than fiction. Unbeknownst to Nur and his co-defendants, Juror 52 never agreed to accept a bribe. Ali did not actually talk to Juror 52 on June 1. She made up an elaborate story about approaching Juror 52 at a bar. Ali told Nur that Juror 52 wanted \$500,000 in exchange for returning a not guilty verdict. Ali concocted this story because she believed the plan to bribe a juror was destined to fail and that Nur and his co-defendants would not follow through with their promise to pay her \$150,000 for her role in delivering the bribe money. Rather than simply refuse to play a role in their bribery scheme, Ali hatched her own plan to steal the bribe money.

As explained below, Ali’s plan to steal the bribe money failed because Abdiaziz Farah insisted that his younger brother, Abdulkarim Farah, drive Ali to Juror 52’s house and make a video recording of her delivery of the bribe to ensure that Juror 52 did not back out.

Ali rejected the proposed payment plan. In a series of messages, Ali said that Juror 52 wanted all of the money.

10:56 p.m. No deal. Is he crazy?

10:57 p.m. I promised her that money

10:58 p.m. Is he crazy. I will literally go to jail. This girl is not playing. Tell him to sell a kidney babe if he has to!!!
She needs it all tomorrow.

Abdiaziz told Nur that he needed to make some calls. Abdiaziz then called his brother, Said. At 11:08 p.m., Abdiaziz told Nur that he was “waiting on [S]aid to call me back bro. I told him they were going to find all of us guilty.” Six minutes later, Abdiaziz told Nur “it’s all ready.” Abdiaziz said, “200 tomorrow at 3PM 100 Monday at 5PM. Said is on it now as we speak. 200 after we get all our assets.”

Abdiaziz and Nur continued to discuss their plan after midnight and into the early morning hours of Sunday June 2. At approximately 12:52 a.m., Abdiaziz told Nur that “we just need to record this woman [Juror 52] accepting the money and doing what she says she will. Basically try [to] convince everyone and NG on all counts for all defendants.” A few minutes later, at 12:56 a.m., Abdiaziz sent a message reassuring Said that their plan would work: “Don’t worry abti, we won’t spend any money on something that’s not confirmed. I got it under control. Please have the money ready by 10 please. It’s very important for everything we have.”

The following day, Nur picked up \$200,000 in cash from Said. At approximately 3:00 p.m. on June 2, Nur picked up a box containing \$200,000 in cash from Said. Nur met Ali at a parking lot in Bloomington to give her the money.

\$200,000 is a lot of money. As Abdiaziz explained in a text message, “getting money was painful bro.” Abdiaziz did not fully trust Ali, and remained concerned that Juror 52 would not follow through with an acquittal. Accordingly, Abdiaziz insisted that his younger brother, Abdulkarim Farah, drive Ali to Juror 52’s house and make a video recording of her delivery of the bribe money. Abdiaziz also wanted Ali to wear a hidden body camera to record Ali’s conversation with Juror 52 as she delivered the bribe. Abdiaziz believed that such a recording would ensure Juror 52 followed through with a not guilty verdict. As Abdiaziz explained to Nur, “we just need to record this woman accepting the money and doing what she says she will.”

Ali delivered the bribe money to Juror 52’s house at approximately 8:50 p.m. on Sunday, June 2. Juror 52’s stepfather answered the door and received the bag containing \$120,000 in cash. Abdiaziz and Said’s younger brother, Abdulkarim Farah, drove Ali to Juror 52’s house and took a video as she delivered the bribe.

At 8:51 p.m., Ali told Nur, “it’s done babe.”

Abdiaziz remained concerned that Juror 52 would not follow through with a not guilty verdict. At approximately 8:58 p.m., he wrote Nur, “I hope we didn’t give 200k to some Mexicans bro. Why didn’t we ask to talk to the fucking girl[?]”

Approximately 10 minutes later, Abdiaziz sent Nur a copy of the video recording showing Ali dropping off the bribe. The video was blurry because it had been raining that night. Abdiaziz asked Nur to “clean the video please.” He also said that his brother “Said [Farah] is on my case like no tomorrow and we need that 100k.”

Abdiaziz also reached out to Mukhtar Shariff about the bribe:

9:52 p.m. Bro

9:54 p.m. Alx Bro. This is our life. Inshallah I will do my best bro. Also do you know how to clear blurry videos.

9:55 p.m. It was taken from the car when it was raining.

Ok bro let me know. The video is on my other phone.

9:58 p.m. That's where she usually sits everyday...this was scoped out by my guy [sent along with a photo]

10:14 p.m. He is gonna send someone to drop off some \$. That's their priority.

200 upfront for any movement

10:18 p.m. Mistrial which is great for us than a conviction

If he can come through we got the surety

Not that we will be but it's probability here we are playing with

At 10:18 p.m., Abdiaziz sent the video to his brother Said, cautioning him to “watch and delete abti.” A few minutes later, Abdiaziz sent the video to Shariff, saying “watch and delete that shit bro.” Over the next few hours, the defendants exchanged messages about the bribe, including:

10:24 p.m. from Ali to Nur: “We did it babe. I did it. I can't stop crying. I'm celebrating as if the verdict has been read.”

10:26 p.m. from Abdiaziz to Shariff: “100 for our freedom is nothing bro, worth trying everything bro”

10:29 p.m. from Abdiaziz to Shariff: “That's it bro. I have a good feeling she will come through and that's a lot of money for her family.”

10:29 p.m. from Abdiaziz to Shariff: “Cash bro”

10:29 p.m. from Abdiaziz to Nur: “Talking to [S]aid call me bro”

10:35 p.m. from Abdiaziz to Shariff: “It's a team effort bro”

10:37 p.m. from Abdiaziz to Shariff: "I am not worried bro. I shared because I trust bro don't worry about that stuff."

11:01 p.m. from Abdiaziz to Nur: "I am going to call it a night, didn't sleep last night bro. It would make sense to get back at this tomorrow and remind the family about our plans. I am gonna print out a note to put it with the \$."

11:01 p.m. from Abdiaziz to Shariff: "Get some sleep man. You got judge Nancy . . . waiting for you"

11:08 p.m. from Abdiaziz to Shariff: "Ameen bro. She is a terrible human being. My wife and siblings stopped coming to court coz they couldn't stand her"

11:14 p.m. from Abdiaziz to Shariff: "She is still a G employee who is jealous of all of us. InshaAllah it will be smooth bro! Goodnight bro."

Court was scheduled to resume at 8:30 a.m. the following day. The defendants continued their plotting that morning. At approximately 8:01 a.m., Abdiaziz sent Nur a text containing a list of arguments for Juror 52 to use to convince other jurors to acquit. The list began "REMEMBER your vote will be NOT GUILTY ON ALL COUNTS for all defendants." Abdiaziz suggested that Nur have Ali "print that out this morning and drop it off to dad and tell him to get it to his daughter asap." Abdiaziz added, "I'm sure they took the day off after all that [sic] pesos."

A few minutes later, Abdiaziz sent another message to Nur, saying that he "need[ed] to get on that bro coz make sure he tells dad to text her that stuff asap or call her. Please bro we need this for real."

At the same time, Ali was texting Nur looking for reassurance that Juror 52 was in court and acting normal. A few hours earlier, Ali had suggested that "tomorrow if she sits in the courtroom quietly then she's all in? If she is not in the courtroom

then we're all Fucked. You gotta let me know as soon as you go to court in the morning." Shortly before court began, Ali asked Nur about Juror 52.

8:07 a.m. She's in there? Acting normal? I have a feeling it's all good baby!!

8:10 a.m. Lmk the moment she's in & it's all good. Also lowkey read her vibe & face.

At 8:26 a.m., just minutes before Court resumed, Abdiaziz texted Nur from inside the courtroom. Referring to the lead prosecutor, Abdiaziz wrote, "JT looks nervous as shit, we gotta blindside this guy for real. Tell L[adan] to get on that bro. Tell her the next delivery is for sure tomorrow."

Judge Brasel took the bench at 8:28 a.m. The government immediately announced the bribe attempt and moved to take all seven defendants into custody. At the government's request, the Court directed the defendants to turn their cell phones over to the FBI case agent.

As this was happening, Shariff and his co-defendants took steps to delete the incriminating evidence from their phones.

At 8:31 a.m., Abdimajid Nur uninstalled and deleted the Signal encrypted message app from his iPhone.

At 8:41 a.m., Abdiaziz Farah did a factory reset of his iPhone.

At 8:43 a.m., Mukhtar Shariff uninstalled and deleted the Signal encrypted messaging app from his iPhone.

For his part, Said Farah deleted the incriminating Signal messages from his phone one at a time.

A few hours later, at approximately 1:05 p.m., Abdulkarim Farah uninstalled and deleted the Signal encrypted messaging app from his iPhone.

After hearing press reports of the bribe attempt on the morning of June 3, Ladan booked a one-way flight to Seattle and left Minneapolis that afternoon, a mere hours after news of the bribe attempt broke.

The government respectfully requests the Court grant leave to supplement the PSR to include this information about Mukhtar Shariff's knowledge of the bribe and destruction of incriminating communications he exchanged with Abdiaziz Farah about the bribe plot.

Respectfully Submitted,

Dated: November 18, 2024

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/s/ Joseph H. Thompson
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